

P&amp;G Case 8341

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :  
Gregory Paul Dittmar, et al : Confirmation No. 2834  
Serial No. 09/996,555 : Group Art Unit 1614  
Filed November 15, 2001 : Examiner Blessing M. Fubara  
For Pharmaceutical Dosage Form With Multiple Coatings For Reduced Impact Of Coating  
Fractures

NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

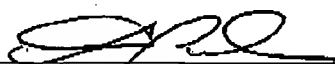
Applicant hereby appeals under 37 CFR 1.191(a) to the Board of Appeals and Interferences from the last decision of the Examiner dated (Paper No.) finally rejecting Claims . The fee for this Notice of Appeal is \$330.00 (37 CFR 1.17(b)).

Filing this Notice of Appeal constitutes the filing of a timely response to the Final Rejection.

The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for response to the Office Action dated in the above-identified application to permit filing this Notice of Appeal. The processing fee under 37 CFR §1.17 has been determined as follows: for a 3-month extension of time \$950.00.

The Director is hereby authorized to charge the above fees, or any additional fees that may be required, or credit any overpayment to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. An additional copy of this Notice is enclosed for that purpose.

Respectfully submitted,

By   
Andrew A. Paul  
Attorney or Agent for Applicant(s)  
Registration No. 46,405  
(513) 622-1825

Date: March 18, 2004

Customer No. 27752  
(appnot.doc) (Last Revised 10/10/2003)

**Procter & Gamble – I.P. Division****OFFICIAL****IMPORTANT CONFIDENTIALITY NOTICE**

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**FACSIMILE TRANSMITTAL SHEET AND  
CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8****RECEIVED  
CENTRAL FAX CENTER****MAR 18 2004****TO: Blessing M. Fubara - United States Patent and Trademark Office**

Fax No. 703-872-9306

Phone No. 703-308-8374

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on March 18, 2004, to the above-identified facsimile number.

Linda R. Schroer (Signature)

**FROM: Linda R. Schroer, (Typed or printed name of person signing Certificate)**

Fax No. 513-622-3300

Phone No. 513-622-2859

Listed below are the item(s) being submitted with this Certificate of Transmission:\*\*

Number of Pages Including this Page: 5

- 1) Fee Transmittal: 1pg/ 2 copies
- 2) Notice of Appeal (1 pg/ 2 copies)
- 3)
- 4)
- 5)

Inventor(s): Gregory Paul Dittmar

S.N.: 09/996,555

Filed: 11/15/2001

Case: 8341

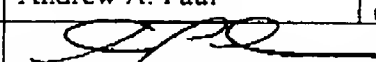
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<b>FEE TRANSMITTAL</b> <b>for FY 2004</b> Patent fees are subject to annual revision.	<b>Complete if Known</b>	
	Application Number	09/996,555
	Confirmation Number	2834
	Filing Date	November 15, 2004
	First Named Inventor	Gregory Paul Dittmar
	Examiner Name	Blessing M. Fubara
	Art Unit	1614
TOTAL AMOUNT OF PAYMENT (\$) <b>1280.00</b>		Attorney Docket No. 8341

<b>METHOD OF PAYMENT</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																									
1. <input checked="" type="checkbox"/> The Director is hereby authorized to charge indicated fees submitted on this form, credit any over payments, and charge any additional fee(s) during the pendency of this application to:  Deposit Account Number: <b>16-2480</b> Deposit Account Name: <b>The Procter &amp; Gamble Company</b>		3. <b>ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Code</th> <th>(\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>Surcharge-late filing fee or oath</td><td><input type="checkbox"/></td></tr> <tr><td>1052</td><td>50</td><td>Surcharge-late provisional filing fee or cover sheet</td><td><input type="checkbox"/></td></tr> <tr><td>1053</td><td>130</td><td>Non-English specification</td><td><input type="checkbox"/></td></tr> <tr><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td><input type="checkbox"/></td></tr> <tr><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner's action</td><td><input type="checkbox"/></td></tr> <tr><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner's action</td><td><input type="checkbox"/></td></tr> <tr><td>1251</td><td>110</td><td>Extension for reply within 1<sup>st</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1252</td><td>420</td><td>Extension for reply within 2<sup>nd</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1253</td><td>950</td><td>Extension for reply within 3<sup>rd</sup> month</td><td>[950]</td></tr> <tr><td>1254</td><td>1,480</td><td>Extension for reply within 4<sup>th</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1255</td><td>2,010</td><td>Extension for reply within 5<sup>th</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1401</td><td>330</td><td>Notice of Appeal</td><td>[330]</td></tr> <tr><td>1402</td><td>330</td><td>Filing a brief in support of an appeal</td><td><input type="checkbox"/></td></tr> <tr><td>1403</td><td>290</td><td>Request for oral hearing</td><td><input type="checkbox"/></td></tr> <tr><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td><input type="checkbox"/></td></tr> <tr><td>1452</td><td>110</td><td>Petition to revive - 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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Andrew A. Paul	Registration No. (Attorney/Agent)	46,405
Signature		Telephone	(513) 622-1825
		Date	March 18, 2004

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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